

Message Text

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P R 250836Z NOV 74

FM AMEMBASSY WARSAW

TO SECSTATE WASHDC PRIORITY 2292

INFO AMEMBASSY BELGRADE

AMEMBASSY BUDAPEST

AMEMBASSY BUCHAREST

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

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E.O. 11652: NA

TAGS: CVIS, PL

SUBJ: EMIGRATION FROM EE COUNTRIES

REF: STATE 236660

1. POLICY/ATTITUDES

OFFICIALLY, THE GOP TAKES THE POSITION THAT EMIGRATION TO THE WEST IN GENERAL AND TO THE U.S. IN PARTICULAR IS NOT A PROBLEM OF MAJOR CONCERN. THERE DO NOT APPEAR TO BE ANY CONSTITUTIONAL OR LEGISLATIVE RESTRICTIONS CONCERNING EMIGRATION, ALTHOUGH EFFECTIVE CONTROL OVER THE NUMBER OF PERSONS ALLOWED TO EMIGRATE IS EXERCISED BY THE GOP THROUGH THE PASSPORT ISSUANCE PROCEDURE. THE SINGLE REMAINING MINORITY PROBLEM RECOGNIZED BY THE POLES CONCERNS THE ETHNIC GERMANS WHO STILL LIVE IN THAT PART OF POLAND WHICH WAS ANNEXED FROM GERMANY AFTER WWII. THERE IS NO OFFICIAL IMPEDIMENT TO THE EMIGRATION OF POLISH JEWS; THE REMAINING JEWISH COMMUNITY IS VERY SMALL AND COMPOSED PRINCIPALLY OF OLD PEOPLE.

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2. GENERAL OBSERVATIONS

BASED ON CONSULTATIONS WITH THE EMBASSIES SUGGESTED IN REFTEL, CURRENT EMIGRATION FROM POLAND CAN BE DIVIDED INTO TWO GENERAL CATEGORIES. THE FIRST IS TO THOSE COUNTRIES WHICH HAVE HISTORICALLY ENCOURAGED IMMIGRATION, I.E., THE U.S., CANADA, AUSTRALIA, AND ISRAEL. THE SECOND GROUP CONTAINS THE WESTERN EUROPEAN COUNTRIES AND GREECE WHICH AT PRESENT DO NOT ENCOURAGE EMIGRATION FROM POLAND AND IN ALMOST ALL CASES DO NOT HAVE LEGISLATIVE OR ADMINISTRATIVE AUTHORITY TO ISSUE IMMIGRANT VISAS TO POLES. WITH REGARD TO THE FIRST GROUP, THE LEVEL OF EMIGRATION HAS FLUCTUATED DEPENDING UPON THE INTERACTION OF CHANGES IN THE VISA LEGISLATION AND ECONOMIC CONDITIONS OF THE COUNTRY OF IMMIGRATION AND THE INTERNAL POLITICO-ECONOMIC SITUATION IN POLAND. WITH REGARD TO THE SECOND GROUP, EMIGRATION IS NOT A PROBLEM SINCE NEITHER SIDE ENCOURAGES IT. DESPITE THE ABSENCE OF ANY CONSTITUTIONAL OR LEGISLATIVE IMPEDIMENTS TO EMIGRATION, THERE CAN BE LITTLE DOUBT THAT THE GOP CONSIDERS EMIGRATION AS AN ISSUE WITH SIGNIFICANT LONG-RUN ECONOMIC IMPORTANCE. LOOKING AT THE CURRENT LEVEL OF EMIGRATION, IT APPEARS REASONABLE TO CONCLUDE THAT A CERTAIN LEVEL IS TOLERABLE IN THE EYES OF THE POLISH GOVERNMENT AND CAN BE RATIONALIZED INTERNALLY ON THE BASIS OF REUNIFICATION OF FAMILIES. HOWEVER, A PUBLICLY STATED POLICY WHICH WOULD ALLOW COMPLETELY UNHINDERED EMIGRATION WOULD ENTAIL INCALCULABLE RISKS. BECAUSE THERE ARE NO SPECIFIC CONSTITUTIONAL PROVISIONS OR SPECIFIC LEGISLATION CONTROLLING EMIGRATION, CONTROL IS EXERCISED ADMINISTRATIVELY THROUGH THE ISSUANCE OF PASSPORTS, ALL CITIZENS HAVE THE RIGHT TO OBTAIN A PASSPORT IF THEY HAVE SUBMITTED THE REQUIRED DOCUMENTS (USUALLY AN INVITATION FROM ABROAD OR PROOF OF A HARD-CURRENCY ACCOUNT) AND PAID THE REQUIRED FEE. HOWEVER, THE LAW ALSO STATES THAT THE APPROPRIATE ORGAN, E.E., LOCAL POLICE WHO ARE SUBORDINATE TO THE MINISTRY OF INTERNAL AFFAIRS, MAY DEPART FROM THE PRINCIPLE OF A CITIZEN'S RIGHT TO RECEIVE A PASSPORT IF: (1) PENAL PROCEEDINGS ARE BEING CONDUCTED AGAINST THE PASSPORT APPLICANT; (2) THE APPLICANT HAD VIOLATED PASSPORT LIMITED OFFICIAL USE

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REGULATIONS; (3) THE APPLICANT HAD ACTED TO THE DETRIMENT OF THE POLISH PEOPLE'S REPUBLIC DURING A PREVIOUS TRIP ABROAD; (4) OTHER IMPORTANT REASONS OF STATE EXIST AGAINST THE GRANTING OF A PASSPORT; AND (5) CONSIDERATION FOR A PERSON REMAINING UNDER THE CARE OF THE APPLICANT OR OTHER IMPORTANT SOCIAL REASONS AGAINST THE GRANTING OF A PASSPORT EXIST. THE NET EFFECT OF THE IMPLEMENTATION OF THE LAW HAS BEEN TO

GIVE THE PASSPORT AUTHORITIES ADMINISTRATIVE CONTROL OVER THE EMIGRATION OF POLES. ONE WAY IN WHICH THE GOP HAS REACTED TO THE DESIRE OF ITS PEOPLE TO TRAVEL, FOR THE PURPOSE OF TOURING OR WORKING ABROAD, HAS BEEN TO LIBERALIZE ITS POLICY WITH REGARD TO TEMPORARY TRAVEL ABROAD. REPORTEDLY, 1.5 MILLION POLES TRAVELED TO THE WEST DURING A RECENT 12-MONTH PERIOD. BY BEING SELECTIVE, I.E., ALLOWING ONLY THE SPOUSE OR HUSBAND--BUT NOT BOTH SIMULTANEOUSLY--TO TRAVEL, THE GOP HAS, IN EFFECT, BEEN HOLDING THE FAMILIES IN POLAND, THEREBY INSURING IN MOST CASES THAT THE TEMPORARY TRAVELER WILL RETURN. ADDITIONALLY, THE GOP HAS DISCOURAGED CHANGES OF STATUS ABROAD BY SUCH TEMPORARY VISITORS BY TAKING THE POSITION THAT FAMILIES WILL NOT BE ALLOWED TO EMIGRATE FROM POLAND TO JOIN OTHER FAMILY MEMBERS WHO, ALTHOUGH THEY MAY NOW HAVE PERMANENT RESIDENCE ABROAD, ORIGINALLY LEFT POLAND FOR A TEMPORARY STAY ABROAD AND HAVE NOT NORMALIZED THEIR STATUS WITH THE GOP BY OBTAINING A POLISH CONSULAR PASSPORT. ADDITIONAL COMMENTS CONCERNING INDIVIDUAL COUNTRIES ARE GIVEN BELOW.

3. EMIGRATION TO THE U.S.

DATA SHOWING VISAS (IVS) ISSUED IN POLAND GOING BACK TO 1957 ARE GIVEN BELOW. CATEGORY I REFUSALS HAVE BEEN LESS THAN ONE PERCENT OF THE VISAS ISSUED DURING THE LAST THREE YEARS.

CY	IV ISSUED	CY	IV ISSUED
1957	414	1967	3628
1958	1415	1968	2991
1959	2653	1969	1477
1960	3869	1970	1408

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1961	5902	1971	1331
1962	5796	1972	2660
1963	6193	1973	1931
1964	6829		
1965	7009		
1966	8171		

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FM AMEMBASSY WARSAW

TO SECSTATE WASHDC PRIORITY 2293

AMEMBASSY BELGRADE

AMEMBASSY BUDAPEST

AMEMBASSY BUCHAREST

AMEMBASSY PRAGUE

AMEMBASSY SOAIA

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DURING THE PERIOD 1960-1966, THE ONLY LIMITING FACTOR ON EMIGRATION TO THE U.S. APPEARS TO HAVE BEEN THE SIZE OF THE POLISH QUOTA WHICH EFFECTIVELY LIMITED THE NUMBER THAT COULD LEAVE POLAND DURING ANY TWELVE-MONTH PERIOD. WITH THE CHANGE IN U.S. LEGISLATION IN 1965 AND ITS IMPLEMENTATION OVER THE NEXT THREE YEARS, THE NEW LIMITATION WAS APPRECIABLY HIGHER. THIS COINCIDED WITH A RATHER DRASTIC REDUCTION IN THE NUMBER OF IVS ISSUED. THE RESULT HAS BEEN THAT THE FOLLOWING BACKLOG HAS DEVELOPED:

PREFERENCE	NUMBERS
1	50
2	1525
3	332
4	2613
5	14,089
NP	2401
TOTAL	23,642

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OF THE NUMBER OF CASES IN THE EMBASSY'S BACKLOG, IT IS ESTIMATED THAT SOMETHING LESS THAN 25 PERCENT ARE ACTIVE CASES; E.G., CONTACT WITH THE APPLICANT HAS BEEN

MADE SINCE JANUARY, 1973. OUR GENERAL FEELING IS THAT MOST APPLICANTS WOULD HAVE FOLLOWED THROUGH WITH THEIR APPLICATIONS AT THE TIME THE PETITIONS WERE APPROVED, IF THEY HAD BEEN ABLE TO OBTAIN EMIGRANT PASSPORTS. SINCE, IN SOME CASES, THE PETITIONS WERE ORIGINALLY FILED 5-10 YEARS AGO, IT IS QUITE POSSIBLE THAT THE APPLICANT'S CIRCUMSTANCES CHANGED CONSIDERABLY IN THE INTERVENING YEARS. THE EMBASSY IS NOW IN THE PROCESS OF CANVASSING THE LARGEST GROUP IN THE BACKLOG, THE FIFTH PREFERENCE, AND WILL FORWARD ADDITIONAL INFORMATION WHEN THE RESULTS ARE KNOWN. ADDITIONALLY, AS THE DEPARTMENT IS AWARE, THE EMBASSY HAS THIS YEAR SUBMITTED FIVE REPRESENTATION LISTS TO THE MFA (THE FIFTH LIST, SUBMITTED OCTOBER 10, 1974, IS BEING POUCHED). WHILE IT IS STILL TOO EARLY TO GIVE A FINAL EVALUATION, IT IS CLEAR THAT SOME PROGRESS IS BEING MADE ON DIVIDED-FAMILY CASES.

4. OTHER GOVERNMENTS. (PARA 2 (E) OF REFTTEL)

A. AUSTRALIA. THEIR IMMIGRANT PROCEDURE IS SIMILAR TO OURS IN FORMAT. AT PRESENT, BECAUSE OF THE WORSENING ECONOMIC SITUATION, ALMOST ALL APPLICATIONS BEING PROCESSED ARE FOR THE CLOSE FAMILY MEMBERS OF AUSTRALIAN CITIZENS OR PERMANENT RESIDENTS. SINCE NOVEMBER, 1973, WHEN THE EMBASSY TOOK OVER THE VISA-ISSUING FUNCTION (PREVIOUSLY PERFORMED BY THE BRITISH EMBASSY), APPROXIMATELY 285 IMMIGRANT VISAS HAVE BEEN ISSUED. REFUSALS HAVE RUN AT THE RATE OF 2 PERCENT TO 3 PERCENT OF THE ISSUANCES. THEY HAVE A BACKLOG OF APPROXIMATELY 1,000 CASES WHICH THEY BELIEVE HAS BEEN CAUSED BY THE INABILITY OF THE APPLICANTS TO OBTAIN EMIGRANT PASSPORTS.

B. AUSTRIA. WHILE THE EMBASSY HAS THE AUTHORITY TO ISSUE IMMIGRANT VISAS, VERY FEW ARE APPLIED FOR OR ISSUED (LESS THAN 20 PER YEAR). THIS MAY BE PARTIALLY ATTRIBUTABLE TO THE FACT THAT, TWO YEARS AGO, A NO-VISA AGREEMENT WAS CONCLUDED WITH THE GPO. SINCE ADJUSTMENT OF LIMITED OFFICIAL USE

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STATUS IS ALLOWED, ANY POLE WHO CAN OBTAIN A PASSPORT CAN GO TO AUSTRIA AS A TOURIST AND SUBSEQUENTLY ADJUST STATUS IF WORK CAN BE FOUND. THEIR ESTIMATE IS THAT 40,000-50,000 POLES WILL ENTER AUSTRIA IN 1974.

C. BELGIUM. THE EMBASSY DOES NOT ISSUE IVS. WHILE A POLE MAY WORK IN BELGIUM ON A TEMPORARY VISA IF HE IS ABLE TO OBTAIN A WORK PERMIT BEFORE ISSUANCE OF THE VISA, VERY FEW WORK PERMITS ARE ISSUED. IN CY-73, ABOUT 23,000 TEMPORARY VISAS WERE ISSUED. WHILE ADJUSTMENT OF STATUS

IS NOT ALLOWED IN GENERAL, A POLE WHO MARRIES A BELGIAN MAY OBTAIN PERMANENT RESIDENCE. DURING THE PAST YEAR, THERE HAVE BEEN 20-30 SUCH CASES.

D. CANADA. FIGURES FOR IMMIGRANT ARRIVALS AND NIV ISSUANCE FOLLOW;

CY	IMMIGRANT ARRIVALS	NIVS ISSUED
1967	856	1731
1968	1092	1386
1969	859	1690
1970	752	1731
1971	1321	1487
1972	1321	3059
1973	1310	4320

IMMIGRATION TO CANADA DURING THE EARLY 1960S WAS SUBSTANTIALLY HIGHER THAN IN THE PERIOD AFTER 1967 WHEN THE PASSAGE OF NEW IMMIGRATION LEGISLATION PERMITTED VISITORS TO APPLY FOR IMMIGRANT STATUS WITHIN CANADA. WHILE THIS DID NOT CAUSE A RAPID INCREASE IN THE NUMBER OF NONIMMIGRANT VISAS ISSUED, IT APPARENTLY IS DIRECTLY RELATED TO THE DECREASE IN IMMIGRANT ARRIVALS THROUGH 1970. THE FURTHER AMENDMENT OF THE CANADIAN REGULATIONS IN DECEMBER, 1972, TO DO AWAY WITH THE RIGHT OF APPLICATION FOR IMMIGRANT STATUS WITHIN CANADA DID NOT HAVE A COUNTER EFFECT, FOR THE CY-73 IMMIGRANT-ARRIVAL FIGURE REMAINED ABOUT THE SAME. THE EMBASSY HAS AT PRESENT A BACKLOG OF BETWEEN 900 AND 1000 CASES WHICH IS BELIEVED TO BE CAUSED BY THE INABILITY OF LIMITED OFFICIAL USE

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THE APPLICANTS TO OBTAIN EMIGRANT PASSPORTS.

E. DENMARK. THE EMBASSY DOES NOT ISSUE IVS. IF A WORK PERMIT IS APPROVED, A TEMPORARY WORK VISA MAY BE ISSUED, USUALLY FOR A PERIOD NOT IN EXCESS OF THREE MONTHS. VERY FEW TEMPORARY WORK VISAS ARE ISSUED. REGULAR NIV ISSUANCE IN CY-73 WAS ABOUT 3,000. WITH REGARD TO REFUGEES, IT IS DANISH POLICY TO REVIEW CAREFULLY ALL REQUESTS. WHILE, IN THE LATE 1960S, MANY POLISH JEWS WERE ACCEPTED AS REFUGEES, NO APPLICATIONS ARE BEING MADE NOW. THE DANES DO NOT FEEL THAT THIS REFLECTS THE IMPOSITION OF ANY RESTRICTIONS ON THE REMAINING POLISH JEWS, BUT RATHER THAT THE FEW WHO ARE LEFT IN POLAND DO NOT WISH TO LEAVE.

F. FINLAND. THE EMBASSY DOES NOT ISSUE IMMIGRANT VISAS. A NO-VISA AGREEMENT IS IN EFFECT. IF THE

POLISH TEMPORARY VISITOR WISHES TO WORK IN FINLAND, HE MUST OBTAIN APPROVAL THROUGH THE EMBASSY BEFORE HIS DEPARTURE FROM POLAND. THE ESTIMATE FOR CY-74 IS ABOUT 20,000 POLISH VISITORS.

G. FRANCE. WHILE THE EMBASSY DOES NOT ISSUE IVS, ABOUT FIVE PERCENT OF THE CY-73 FIGURE OF 30,000 TEMPORARY VISITORS OBTAINED WORK PERMITS.

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TO SECSTATE WASHDC PRIORITY 2294
INFO AMEMBASSY BELGRADE
AMEMBASSY BUDAPEST
AMEMBASSY BUCHAREST
AMEMBASSY PRAGUE
AMEMBASSY SOFIA

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H. GERMANY. THE EMBASSY HAS CARDS ON FILE FOR THE POTENTIAL RESETTLEMENT OF 425,000 PERSONS LIVING IN POLAND WHO CLAIM TO BE ETHNIC GERMANS. IN 14,000 CASES (FAMILIES), PERLIMINARY PROCESSING HAS BEEN DONE AND THE EMBASSY IS READY TO PROCEED WITH RESETTLEMENT ONCE GOP EXIT DOCUMENTATION IS OBTAINED. THIS DOCUMENTATION, CALLED KARTA PODROZY, IS NOT A REGULAR PASSPORT AND, WHEN ISSUED, STATES THAT THE BEARER IS NOT A POLISH CITIZEN, ADDITIONALLY, THE EMBASSY HAS THE NAMES OF ABOUT 285,000 POTENTIAL RESETTLERS WHO HAVE AT SOME TIME WRITTEN TO THE GERMANY RED CROSS TO EXPRESS AN INTEREST IN EMIGRATING. THESE NAMES HAVE NOT BEEN CROSS-CHECKED YET WITH THE CONSOLIDATED CARD FILES AND VERY GREAT DUPLICATION SEEMS LIKELY. DIS-

CUSSIONS ON THIS SUBJECT HAVE BEEN GOING ON BETWEEN
POLAND AND THE FRG FOR SOME TIME. FIGURES FOR NUMBER
RESETTLED SINCE 1968 FOLLOWS:

CY NUMBER

1968 8,433

1969 9TET

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1970 5,625

1971 25,243 (AFTER SIGNING OF WARSAW TREATY)

1972 11,787

1973 8,903

1974 6,140 (THROUGH SEPTEMBER, 1974)

I. GREECE. NO IMMIGRANT VISAS ISSUED. A FEW
TEMPORARY VISAS ARE ISSUED, BUT POLES ARE NOT GIVEN
WORK PERMITS.

J. ISRAEL. THE DUTCH EMBASSY HAS REPRESENTED THE
GOI SINCE THE 1966 BREAK IN RELATIONS WITH THE GPO.
WHILE LARGE NUMBERS OF JEWS WERE PROCESSED THROUGH THE
DUTCH EMBASSY IN THE LATE 1960S, THERE ARE VIRTUALLY
NONE NOW (DURING THE PAST YEAR, LESS THAN 100). BASED
ON PERSONAL CONTACT WITH THE MEMBERS OF THE REMAINING
JEWISH COMMUNITY IN POLAND, THE DUTCH ARE CONVINCED THAT
THE LOW NUMBER CURRENTLY LEAVING REFLECTS THE LACK
OF DESIRE TO EMIGRATE BY A SMALL, AGING JEWISH COMMUNITY.
THE DUTCH SAY THAT, AS FAR AS THEY CAN TELL, ANY JEW WHO
WANTS TO EMIGRATE FROM POLAND MAY DO SO WITHOUT
DIFFICULTY.

E. ITALY. THE EMBASSY DOES NOT ISSUE IMMIGRANT
VISAS. OF THE TEMPORARY VISAS ISSUED, CIRCA 40,000 IN
CY-73, ONLY CERTAIN CATEGORIES WERE ALLOWED LONGER STAYS--
PRIESTS, STUDENTS, PERFORMING ARTISTS.

L. NETHERLANDS. THE DUTCH DO NOT ISSUE IVS.
ABOUT 20,000 NIVS WERE ISSUED IN CY-73, ONE-HALF BEING
TRANSIT VISAS. WHILE IT IS POSSIBLE IN THEORY TO
OBTAIN WORK PERMITS, ECONOMIC CONDITIONS IN THE
NETHERLANDS ALLOW THE ISSUANCE OF VERY FEW TO POLES.
CHANGE OF STATUS IS NOT ALLOWED.

M. NOWWAY. THE EMBASSY DOES NOT ISSUE IVS. IT
A WORK PERMIT IS APPROVED, A TEMPORARY WORK VISA MAY
BE ISSUED, BUT, IN PRACTICE, FEW ARE. NIV ISSUANCE
IN CY-73 WAS ABOUT 2,500. THE ESTIMATE FOR FY-74 IS
3,000 NIVS.

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N. SWEDEN. SINCE MID-QOURN WHEN THE NO-VISA AGREE-MENT WENT INTO EFFECT, ALL POLES GOING TO SWEDEN GO AS TEMPORARY VISITORS. IF A POLE WANTS TO WORK, HE MUST OBTAIN APPROVAL BEFOREHAND. IN CY-73, ABOUT 23,000 ,8; 2343 8 73\$. THE ESTIMATE FOR CY-74 POLISH VISITORS IS 25,000.

O. UNITED KINGDOM. WHILE IVS ARE ISSUED BY THE EMBASSY, APPLICATIONS ARE RARE SINCE A POLE IN THE U.K. WITH VISITOR STATUS MAY ADJUST TO PERMANENT RESIDENCE. NIV APPLICATIONS AND ISSUANCES HAVE INCREASED BY OVER 50 PERCENT SINCE 1970. FIGURES FOLLOW:

CY	APPLICATIONS RECEIVED	NIVS ISSUED
1970	19,578	16,667
1971	18,420	17,564
1972	22,867	22,346
1973	28,389	26,724

5. FEES.

A. PASSPORT

AT PRESENT, THE ONLY FEES REGULARLY CHARGED TO ALL POLES IN CONNECTION WITH THEIR EMIGRATION IS A PASSPORT FEE. THIS AMOUNTS TO 5,000 ZLOTIES, AS COMPARED TO 2,000 ZLOTIES FOR A TOURIST PASSPORT, AND IS ABOUT ONE TO ONE-AND-ONE-HALF MONTHS SALARY FOR THE AVERAGE BLUE-COLLAR WORKER. WHILE HIGH, THE FEE DOES NOT SEEM TO HAVE A RESTRICTIVE EFFECT ON POLISH EMIGRATION.

B. EDUCATION

POLES WHO HAVE HIGHER EDUCATION MAY BE REQUIRED TO PAY REIMBURSEMENT TO THE GOVERNMENT IF THEY HAVE NOT WORKED A SPECIFIED TIME FOLLOWING THE COMPLETION OF THEIR STUDIES. THE REQUIRED WORK PERIOD VARIES, DEPENDING ON FIELD OF STUDY, BUT UNDER NO CIRCUMSTANCES MAY IT EXCEED THREE YEARS, THE MAXIMUM PERIOD ALLOWED BY LAW. IN THE EMBASSY'S EXPERIENCE, THIS REQUIREMENT

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HAS NOT BEEN USED TO RESTRICT EMIGRATION.

C. PROPERTY

PERSONS WHO OWN AGRICULTURAL LAND AND WHO WISH TO EMIGRATE ARE REQUIRED TO TURN OVER THE RIGHT TO THEIR LAND TO THE STATE OR ANOTHER PERSON. THIS PROVISION IS DESIGNED TO INSURE THE CONTINUING PRODUCTIVE USE OF THE LAND. BASED ON THE EMBASSY'S EXPERIENCE, THIS DOES NOT PRESENT A PROBLEM, SINCE MOST FARMERS CEDE THE LAND TO RELATIVES.

D. APARTMENTS

THE OWNERSHIP OF APARTMENTS IS NOT AFFECTED BY EMIGRATION. HOWEVER, IF THE EMIGRANT HAS ONLY TENANCY RIGHTS TO AN APARTMENT, THESE RIGHTS ARE LOST AFTER THE PERSON LEAVES POLAND.
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